

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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NORTH AMERICA PHOTON INFOTECH, LTD.,

Plaintiff,

-against-

20 CIVIL 2180 (JPC)

JUDGMENT

ZOOMINFO LLC,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memo Endorsed Order dated November 17, 2022, and the Court's Findings of Fact and Conclusions of Law dated September 7, 2022, to conserve the Court's and the parties' resources, the Court will defer ZoomInfo's application for attorney's fees until the resolution of the appeal and cross-appeal in this case. Pursuant to Rule 54(d)(2)(B) of the Federal Rules of Civil Procedure, the parties are ordered to file any motion for fees within thirty days of the full exhaustion on the merits of all appeals in this case. Rule 58(b)(1)(B) of the Federal Rules of Civil Procedure requires the Clerk of Court to enter judgment "without awaiting the court's direction" if "the court awards... a sum certain," as was awarded by the Court's Findings of Fact and Conclusions of Law. The Court has granted ZoomInfo's motion in limine in part and has denied that motion in part, granted Photon's motion in limine in part and denied that motion in part, and concludes that ZoomInfo is entitled to \$94,500 in damages. Pursuant to Rule 58(a)(3) of the Federal Rules of Civil Procedure, any future application for attorney's fees may be resolved by court order with no need for an amended judgment.

Dated: New York, New York

November 18, 2022

RUBY J. KRAJICK

Clerk of Court

BY:

K. Mango

Deputy Clerk